

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**UNITED STATES OF AMERICA**

**v.**

**TEVIN ABERCROMBIE,**

**Defendant**

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**M.B.D. Case No. 20-mc-91397**

**MOTION FOR ENDS-OF-JUSTICE CONTINUANCE OF TIME  
FOR FILING AN INDICTMENT OR INFORMATION, AND  
EXCLUSION OF TIME, UNDER THE SPEEDY TRIAL ACT**

The United States of America, by and through Assistant United States Attorney John Dawley, with the agreement of counsel for Defendant Tevin Abercrombie, respectfully moves this Court to grant a continuance of the time within which an indictment or information must be filed, and exclude the time period from July 28, 2020, through and including October 29, 2020, from the speedy trial clock, pursuant to the Speedy Trial Act, 18 U.S.C. §§3161(h)(7)(A), and Sections 5(b)(7)(B) and 5(c)(1)(A) of the *Plan for Prompt Disposition of Criminal Cases* for the United States District Court for the District of Massachusetts (effective December 2008), on the ground that the ends of justice served by granting the requested continuance and excluding these periods outweigh the best interests of the public and the defendant in a speedy trial. The parties further ask this Court to issue the attached proposed *Order of Continuance and Excludable Delay*. In support of this request, the parties state as follows:

1. Defendant was charged by a complaint; the case was initiated against Defendant by a criminal complaint in *United States v. Tevin Abercrombie*, Case No. 20-mj-01247-DLC. The government has recently provided initial discovery regarding the case (which is primarily materials related to the motor vehicle stop), to counsel for Defendant.

2. The requested exclusion of time will permit defense counsel to adequately confer with Defendant. This discovery will allow Defendant to prepare for trial, as well as to review a potential resolution of the case. Such a pre-indictment resolution may benefit Defendant. The parties agree that, if the requested time is excluded, the government has until October 29, 2020 to return an indictment in this case. A proposed order is attached.

Respectfully submitted,

ANDREW E. LELLING  
United States Attorney

By: /s/ John T. Dawley, Jr.  
John T. Dawley, Jr.  
Assistant U.S. Attorney

**Certificate of Service**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants.

By: /s/ John T. Dawley, Jr.  
John T. Dawley, Jr.  
Assistant U.S. Attorney

Date: August 18, 2020